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13 Attorneys for Plaintiff

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UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT OF CALIFORNIA

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RANDY MURPHY,) CASE NO. C04-3062 TEH
18)
19 Plaintiff,) STIPULATION AND [PROPOSED]
vs.) ORDER OF PARTIAL DISMISSAL
20) WITH PREJUDICE
21)
22)
23 CITY OF OAKLAND, et al.,) Trial: 11/15/05
24)
25 Defendants.)
26)
27)
28)

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30 THE PARTIES, BY AND THROUGH THEIR ATTORNEYS OF RECORD, DO
31 HEREBY STIPULATE AND AGREE AS FOLLOWS:

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33 The Plaintiff's 42 U.S.C. Section 1983 claim against
34 Defendant CITY OF OAKLAND **only** shall be dismissed with prejudice,
35 each party to bear its own attorneys' fees and costs with respect
36 to said claim only.

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38 STIP/ORDER RE DISMISSAL OF Section 1983 MUNI. LIAB.
39 CASE NO. C04-3062 TEH 1

1 IT IS SO STIPULATED:
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3 Dated: November 17, 2005
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JOHN L. BURRIS
Attorney for Plaintiff

5
6 Dated: November 17, 2005
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JAMES B. CHANIN
Attorney for Plaintiff

8 Dated: November ___, 2005
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PETER J. HALLIFAX
Attorney for Defendants

10 PURSUANT TO STIPULATION,
11 IT IS SO ORDERED:
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Dated: November 21, 2005
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THELTON E. HENDERSON
JUDGE OF THE UNITED STATES
DISTRICT COURT